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Attorney for Plaintiff
PATRICIA CLAIRE BANKSTON

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

PATRICIA CLAIRE BANKSTON,

Plaintiff,

v.

PATENAUDE & FELIX, A
PROFESSIONAL CORPORATION, a
California corporation, and RAYMOND
ALCIDE PATENAUDE, individually and in
his official capacity,

Defendants.

Case No. C07-03396-JW-PVT

**DECLARATION OF FRED W.
SCHWINN IN SUPPORT OF
MOTION FOR SUMMARY
JUDGMENT**

[Fed. R. Civ. P. 56]

Date: January 14, 2008
Time: 9:00 a.m.
Judge: Honorable James Ware
Courtroom: Courtroom 8, 4th Floor
Place: 280 South First Street
San Jose, California

I, Fred W. Schwinn, declare under penalty of perjury, under the laws of the United States,
28 U.S.C. § 1746, that the following statements are true:

1. I am an attorney at law duly licensed to practice before all the courts of the
State of California and in this judicial district and am a shareholder in the law firm Consumer Law
Center, Inc., attorneys of record for Plaintiff, PATRICIA CLAIRE BANKSTON (hereinafter
referred to as "Plaintiff").

2. I have personal knowledge of the following facts, and if called as a witness,
I could and would competently testify thereto.

3. On October 12, 2007, I served Plaintiff's First Request for Admissions
Propounded to Patenaude & Felix, A Professional Corporation on counsel for Defendants, Matthew

1 B. Golding, via first-class United States Mail. A true and accurate copy of the Plaintiff's First
2 Request for Admissions Propounded to Patenaude & Felix, A Professional Corporation is attached
3 hereto, marked Exhibit "2," and by this reference is incorporated herein.

4 4. On or about November 14, 2007, I received Defendant, Patenaude & Felix's,
5 Response to Request for Admissions. A true and accurate copy of Defendant, Patenaude & Felix's,
6 Response to Request for Admissions is attached hereto, marked Exhibit "3," and by this reference
7 is incorporated herein.

8 Executed at San Jose, California on December 10, 2007.

9
10 /s/ Fred W. Schwinn
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